

Judge: Christopher M. Alston  
Chapter: 13  
Hearing Date: July 11, 2024  
Hearing Time: 9:30 am  
Hearing Location: Judge Alston's Courtroom  
700 Stewart St #7206  
Seattle, WA 98101-8101  
Response Date: July 04, 2024

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

MICHAEL THOMAS,

Debtor.

IN CHAPTER 13 PROCEEDING  
NO. 24-10876-CMA

NOTICE OF OBJECTION TO EXEMPTIONS  
AND HEARING

PLEASE TAKE NOTICE that the Chapter 13 Trustee's Objection to Exemptions IS SET FOR  
HEARING as follows:

Judge: Christopher M. Alston  
Place: Judge Alston's Courtroom  
700 Stewart St #7206  
Seattle, WA 98101-8101  
Date: July 11, 2024  
Time: 9:30 am

IF YOU OPPOSE the objection, you must file your written response with the Court Clerk NOT  
LATER THAN THE RESPONSE DATE, which is July 04, 2024.

IF NO RESPONSE IS TIMELY FILED, the Court may, in its discretion, GRANT RELIEF  
REQUESTED IN THE OBJECTION WITHOUT FURTHER NOTICE, and strike the hearing.

Dated: June 13, 2024

/s/ Emily A. Jarvis, WSBA #41841 for  
Jason Wilson-Aguilar  
Chapter 13 Trustee

NOTICE OF OBJECTION TO EXEMPTIONS AND HEARING - 1

Jason Wilson-Aguilar  
Chapter 13 Trustee  
600 University St. #1300  
Seattle, WA 98101  
(206) 624-5124

Judge: Christopher M. Alston  
Chapter: 13  
Hearing Date: July 11, 2024  
Hearing Time: 9:30 am  
Hearing Location: Judge Alston's Courtroom  
700 Stewart St #7206  
Seattle, WA 98101-8101  
Response Date: July 04, 2024

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

MICHAEL THOMAS,

Debtor.

IN CHAPTER 13 PROCEEDING  
NO. 24-10876-CMA

**OBJECTION TO EXEMPTIONS**

Jason Wilson-Aguilar, Chapter 13 Trustee, objects to the Debtor's exemptions (ECF No. 12):

The debtor listed on Schedule A/B a claim against DiTech which he values at \$275,000. The Trustee has not yet been able to conduct the 341 meeting of creditors to date, so he does not have any further information regarding this claim beyond what is listed on the schedules. The debtor claimed an exemption of \$9,800 as to this asset using the "wild card" exemption and an exemption of \$265,200 as to this asset pursuant to Wash. Rev. Code 6.15.010(1)(d)(viii). The latter statute states that the debtor in a bankruptcy case may exempt "the right to or proceeds of personal injury of the debtor ... or the right to or proceeds of a payment in compensation of loss of future earnings of the debtor." The debtor has not established that his claim against DiTech is a personal injury claim and/or a claim based on lost wages that would qualify for this exemption. As such, the exemption pursuant to Wash. Rev. Code 6.15.010(1)(d)(viii) should be disallowed.

WHEREFORE, the Trustee requests that the Court enter an order disallowing the Debtor's exemptions as stated above.

OBJECTION TO EXEMPTIONS - 1

Jason Wilson-Aguilar  
Chapter 13 Trustee  
600 University St. #1300  
Seattle, WA 98101  
(206) 624-5124

1 Dated: June 13, 2024

2 /s/ Emily A. Jarvis, WSBA #41841 for  
3 Jason Wilson-Aguilar  
4 Chapter 13 Trustee  
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EAJ

OBJECTION TO EXEMPTIONS - 2

Jason Wilson-Aguilar  
Chapter 13 Trustee  
600 University St. #1300  
Seattle, WA 98101  
(206) 624-5124

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10 **IN THE UNITED STATES BANKRUPTCY COURT**  
11 **FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

12 In Re:

13 MICHAEL THOMAS,

14  
15 Debtor.

IN CHAPTER 13 PROCEEDING  
NO. 24-10876-CMA

*Proposed*  
ORDER DISALLOWING EXEMPTIONS

17 THIS MATTER came before the Court on the Chapter 13 Trustee's Objection to Exemptions.  
18 Based on the record and for cause shown, it is

19 ORDERED that:

20 (1) The Trustee's Objection to Exemptions is sustained; and

21  
22 (2) The debtor's claimed exemption on Schedule C (ECF No. 12) in the amount of \$265,200  
23 pursuant to Wash. Rev. Code Code 6.15.010(1)(d)(viii) as to his claim against DiTech is disallowed.

24 // //End of Order// //

25 Presented By:

26 /s/ Emily A. Jarvis, WSBA #41841 for

27 Jason Wilson-Aguilar

28 Chapter 13 Trustee

EAJ ORDER DISALLOWING EXEMPTIONS - 1

Jason Wilson-Aguilar  
Chapter 13 Trustee  
600 University St. #1300  
Seattle, WA 98101  
(206) 624-5124